



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of :  
Jean-Luc Balligand :

Serial No.: 10/068,965 Group Art Unit: 1636

Filed : February 11, 2002 Examiner: Quang Nguyen

For: NOVEL PHARMACEUTICAL COMPOSITIONS FOR MODULATING ANGIOGENESIS

**RESPONSE TO RESTRICTION REQUIREMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Restriction Requirement dated March 8, 2004, Applicants hereby elect with traverse, Group XII, antagonists of caveolin-1. These correspond to newly added independent claims 42, 43, 47, 73, 74, and 76. See, Preliminary Amendment dated October 2, 2003. These claims are directed to both compositions and methods. If the examiner further restricts between the compositions and methods, Applicant elects the method claims represented by independent claim 73, 74, and 76.

All the claims in the application involve related subject matter, e.g., the cholesterol-caveolin-1-e-NOS-NO pathway. A search would therefore comprise overlapping subject matter, and it would not be an undue burden on the examiner to carry out a search. "If search and examination of an entire application can be made without serious burden, the examiner *must* examine it on the merits, even though it includes claims to independent or distinct invention." (Emphasis added.) M.P.E.P. 803. Accordingly, withdrawal of the restriction is respectfully requested.

No fee is believed to be due with this response, however, the Commissioner is hereby authorized to charge any fees associated with this response or credit any overpayment to Deposit Account No. 13-3402.

Respectfully submitted,



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Date: April 8, 2004